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PATENT
0171-0779P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: NOZAWA, Yasuaki et al. Conf.: 6513
Appl. No.: 09/941,742 Group: 1754
Filed: August 30, 2001 Examiner: Johnson, E.M.
For: METHOD AND APPARATUS FOR PRODUCING
HYDROPHOBIC SILICA FINE POWDER

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 14, 2003
(Tuesday after Federal Holiday)

Sir:

In reply to the Restriction Requirement dated September 16, 2003, the following remarks are respectfully submitted in connection with the above-identified application.

REMARKS

Claims 1-3 are pending in the present application. These claims have been subjected to a Restriction Restriction Requirement under 35 U.S.C. 121 as follows:

The Examiner has required election in the present application between:

Group I, claims 1 and 2, drawn to a method for producing hydrophobic silica;

Group II, claim 3, drawn to an apparatus for producing hydrophobic silica.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, claims 1 and 2.

It is respectfully requested that the Restriction Requirement be withdrawn in view of the overlapping examination and prior art search issues between Group I and Group II. It is submitted that the examination and search for all of the claims in the present application does not present an undue or serious burden on the Examiner, such that the Requirement should be withdrawn.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Andrew D. Meikle (Reg. No. 32,868) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

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